

REMARKS

In the January 25, 2005 Office Action, the Examiner noted that claims 1-16 were pending in the application and rejected all of the pending claims under the second paragraph of 35 USC § 112 and under 35 USC § 103(a). In rejecting the claims, U.S. Patents 5,185,697 to Jacobs et al.; 5,896,530 White; and 5,805,719 to Pare et al. (References A-C, respectively) and an article from Western Telematic Inc. (WTI, Reference U) presumably were cited. In item 5 on page 10 of the Office Action, claims 3, 4, 10 and 11 were rejected as unpatentable "over Jacobs et al. in view of Pare et al., as applied to claims 1 and 2, and further in view of White (USPN 5,805,719" (page 10, lines 2-3), although as noted above, U.S. Patent 5,805,719 was issued to Pare et al. Claims 12 and 16 have been canceled and thus, claims 1-11 and 13-15 remain in the case. The Examiner's Rejections are traversed below.

Rejections under 35 USC § 112, Second Paragraph

In item 2 on pages 2-3 of the Office Action, claims 1-16 were rejected under the second paragraph of 35 USC § 112 for indefiniteness due to use of the term "necessary" in claims 1, 8, 12, 13, 14, 15 and 16 and "capable of" in claims 1 and 5-7. Claims 1, 8 and 13-15 have been amended to remove "necessary" and claims 1 and 5-7 have been amended to add "being" to clarify that the processor is capable of performing the operations because it is connected to the characteristic file. Withdrawal of the rejection under the second paragraph of 35 USC § 112 is respectfully requested.

Rejections under 35 USC § 103

In item 4 on pages 3-9 of the Office Action, claims 1, 2, 8, 9 and 12-16 were rejected under 35 USC § 103(a) as unpatentable over Jacobs et al. in view of Pare et al. In making this rejection, it was asserted that Jacobs et al. disclosed "a characteristic registration file in which incident types and characteristic information of the respective incidents are registered" (Office Action, page 3, last line to page 4, line 1) at column 5, lines 20-30 and column 12, lines 64. The latter is a limitation in claim 1 of Jacobs et al. referring to "a list of most usual crisis situation types," while the former is a portion of the Description of the Preferred Embodiment describing a "crisis team member [who] selects the crisis situation ... [from among] hijackings, hostage barricades, bomb threats, extortions, kidnappings, earthquakes, hurricanes and floods ... [as] preset situations" (column 5, lines 21-25) or by defining another crisis situation.

As indicated by the portions of Jacobs et al. quoted above, all of the information in the cited portion of column 15 relates to a particular type of "crisis situation" that has been identified

by a crisis team member when an incident occurs. However, claim 1 recites that the processor of a server computer performs the operation of "identifying the incident type based on the accepted information concerning the incident and the characteristic registration file" (claim 1, lines 16-17). No suggestion has been found in Jacobs et al. that the incident type is identified by a device, instead of by a person. Therefore,, it is submitted that claim1 and claim 2 which depends therefrom patentably distinguish over Jacobs et al. in view of Pare et al.

Claim 8 at lines 7-9 recites a limitation similar to that quoted above from claim 1, while claim 13 recites at lines 6-8 that a similar operation is performed by "a computer program ... that transmits and receives, in response to an occurrence of an incident" (claim 13, lines 1-2). Furthermore, claims 14 and 15 recite "means for identifying the incident, based on the accepted information concerning the incident and the characteristic registration file" (claim 15, lines 11-12 and claim 14, lines 14-15). Therefore, it is submitted that claims 8 and 13-15, as well as claim 9 which depends from claim 8, patentably distinguish over Jacobs et al. in view of Pare et al. for the reasons discussed above with respect to claim 1.

In items 5-7 on pages 10-14, claims 3-7, 10 and 11 were rejected under 35 USC § 103(a) as unpatentable over Jacobs et al. in view of Pare et al. and further in view of White or WTI or both. Nothing has been cited or found in White or WTI suggesting modification of Jacobs et al. in view of Pare et al. to overcome the deficiencies discussed above with respect to claims 1 and 8 from which claims 3-7, 10 and 11 depend. Therefore, it is submitted that claims 3-7, 10 and 11 patentably distinguish over the cited prior art for the reasons discussed above with respect to claims 1 and 8.

Information Disclosure Statement

Attached to the January 25, 2005 Office Action was a form PTO-1449 that was signed by the Examiner, but did not include initials next to any of the references indicating that the references had been considered. The Examiner is respectfully requested to send the undersigned another copy of form PTO-1449 with initials next to each of the references.

Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claim 1-11 and 13-15 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

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Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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